

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

MICHAEL G. BRAUTIGAM,
Plaintiff,

vs.

GEOFFRY P. DAMON, et al.,
Defendants.

Case No. 1:11-cv-551

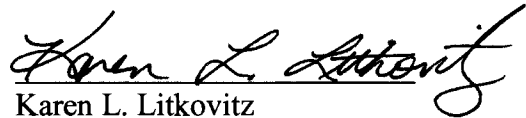
Spiegel, J.
Litkovitz, M.J.

ORDER

This matter is before the Court following an informal telephone discovery conference held on May 23, 2013, before the undersigned magistrate judge. At the conference, the Court discussed with the parties its concerns that many of the discovery requests plaintiff Brautigam has served on defendant Damon in this matter are overbroad and of questionable relevance. The Court further advised the parties that it is unable to evaluate whether the assertion of defendant Damon's Fifth Amendment privilege is valid or whether he has waived the privilege, absent evidence concerning the specific context under which Damon previously gave testimony or provided written responses and the nature of such testimony and responses. The Court provided the parties guidance concerning the disputed discovery matters discussed at the conference. The Court gave plaintiff an opportunity to reframe the discovery requests he has served on defendant Damon and to resubmit them to defendant. If discovery issues remain after plaintiff serves the revised discovery requests on defendant Damon and the parties have conferred pursuant to Fed. R. Civ. P. 37, the parties may seek to resolve any outstanding discovery disputes by filing a motion to compel and/or a protective order.

IT IS SO ORDERED.

Date: 5/23/13


Karen L. Litkovitz
United States Magistrate Judge